

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: MIDAMERICAN ENERGY COMPANY and ATCHISON-HOLT ELECTRIC COOPERATIVE	DOCKET NO. SPU-00-16
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**ORDER GRANTING PETITION FOR MODIFICATION
OF SERVICE AREA BOUNDARIES**

(Issued December 28, 2000)

On August 30, 2000, MidAmerican Energy Company (MidAmerican) and Atchison-Holt Electric Cooperative (Atchison) filed a joint petition for modification of electric service area boundaries pursuant to 199 IAC 20.3(9). The petition included a service area agreement between MidAmerican and Atchison. MidAmerican filed additional information on November 22, 2000, to clarify the legal descriptions of the areas to be transferred. No objections to the petition were filed.

MidAmerican and Atchison request the Utilities Board (Board) transfer to Atchison the service territory in Fremont County described as follows:

Beginning at the Southeast corner of Section 20,
Township 68 North, Range 43 West of the 5th P.M.,
Fremont County, Iowa, thence Northerly 729 feet, more
or less, along the east line of said Section 20 to the
centerline of Robbins Road, thence westerly 724 feet,
along the centerline of Robbins Road, thence
Southeasterly to the point of beginning.

MidAmerican and Atchison request the Board transfer to MidAmerican the service territory in Fremont County described as follows:

Beginning at a point on the west line of the East Half ($E \frac{1}{2}$) of the Southeast Quarter ($SE \frac{1}{4}$) of section 20, said point being approximately $\frac{1}{4}$ mile north of the south line of said East Half ($E \frac{1}{2}$) of the Southeast Quarter ($SE \frac{1}{4}$), thence south along the west line of said East Half ($E \frac{1}{2}$) of the Southeast Quarter ($SE \frac{1}{4}$) for approximately 530 feet to the center of Robbins Road, thence east to the existing boundary line between Atchison-Holt and MidAmerican, a distance of approximately 565 feet, thence northwest along said existing MidAmerican/Atchison-Holt boundary to the point of beginning, Township 68 North, Range 43 West of the 5th P.M., Fremont County, Iowa; and

Beginning at the southwest corner of Section 21, thence east for approximately 670 feet to the center line of 211th Ave., thence north along 211th Ave. for approximately 700 feet, thence east approximately 300 feet, thence north for approximately 350 feet, thence east for approximately 840 feet to the west line of U.S. Interstate 80, thence northwesterly along U.S. Interstate 80 to the existing MidAmerican/Atchison-Holt boundary, thence southwest along the existing MidAmerican/Atchison-Holt boundary to the point of beginning, Township 68 North, Range 43 West of the 5th P.M., Fremont County, Iowa.

In support of the petition, MidAmerican and Atchison assert that the area until recently was largely undeveloped and rural. However, the character of the area has changed because of highway and bridge improvements on Iowa Highway 2 and Interstate Highway 29. As a result, several truck stops are being constructed in the area. MidAmerican and Atchison state the present service territory boundary is a set

of diagonal lines that will be confusing to customers and difficult to implement as development proceeds. The proposed boundary is on platted lot lines rather than the current diagonal configuration. MidAmerican and Atchison represent that the two truck stops currently under construction are aware of the proposed service territory modification and have no objection.

Iowa Code § 476.25 (1999) provides in pertinent part:

Contracts between electric utilities to designate service areas and customers to be served by the electric utility or for the exchange of customers between electric utilities, when approved by the board, shall be valid and enforceable and shall be incorporated into the appropriate exclusive service areas established pursuant to subsection 1 of this section. The board shall approve a contract if it finds that the contract will eliminate or avoid unnecessary duplication of facilities, will provide adequate electric service to all areas and customers affected, will promote the efficient and economical use and development of the electric systems of the contracting electric utilities, and is in the public interest.

The Board will grant the MidAmerican and Atchison joint petition for modification of service area boundaries. MidAmerican and Atchison have alleged facts which establish the proposed modification is in the public interest, will prevent unnecessary duplication of facilities, provide adequate electric service to all customers affected, and will promote the efficient and economical use of electrical systems, pursuant to Iowa Code § 476.25.

IT IS THEREFORE ORDERED:

The joint petition for modification of service area boundaries filed by MidAmerican Energy Company and Atchison-Holt Electric Cooperative on August 30, 2000, as supplemented on November 22, 2000, is granted, subject to complaint or investigation.

UTILITIES BOARD

/s/ Allan T. Thoms

/s/ Susan J. Frye

ATTEST:

/s/ Raymond K. Vawter, Jr.
Executive Secretary

/s/ Diane Munns

Dated at Des Moines, Iowa, this 28th day of December, 2000.